

ORDINANCE NO. 20060420-072

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 601 WEST APPLGATE DRIVE FROM SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT TO COMMERCIAL RECREATION-CONDITIONAL OVERLAY (CR-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from single family residence standard lot (SF-2) district to commercial recreation-conditional overlay (CR-CO) combining district on the property described in Zoning Case No. C14-05-0163, on file at the Neighborhood Planning and Zoning Department, as follows:

Lots 1, 2, and 3, Block K, Mocking Bird Hill Section 1 Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 5, Page 159, of the Plat Records of Travis County, Texas; and

A 0.1707 acre tract of land, more or less, out of the John Applegate Survey, Abstract No. 29, Travis County, the tract of land (vacated Motheral Street) being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 601 West Applegate Drive, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. Except as provided in this ordinance, the Property shall be developed in accordance with the townhouse and condominium residence (SF-6) district site development regulations of the Code.
2. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 300 trips per day above the trips generated by the existing or approved development.

3. Vehicular access from the Property to Applegate Drive is prohibited. All vehicular access from the Property shall be to Motheral Street by one driveway only.
4. A building or structure constructed on the Property may not exceed a height of 18 feet from ground level.
5. A six-foot high solid fence shall be provided and maintained:
 - a) along the south, east and west property lines; and
 - b) along the north side of the property set back 10 feet from the right-of-way of Applegate Drive.
6. A 10-foot wide vegetative buffer shall be provided and maintained along and adjacent to the north property line between the six-foot high fence and Applegate Drive. The vegetative buffer is subject to the Screening Standards under Section 2.9.1 of the Environmental Criteria Manual. Improvements permitted within the buffer zone are limited to drainage, underground utility improvements, or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.
7. The following uses are prohibited uses of the Property:

Art gallery	Art workshop
Campground	Consumer convenience services
Hotel-motel	Indoor entertainment
Indoor sports and recreation	Marina
Outdoor entertainment	Outdoor sports and recreation
Recreational equipment sales	Restaurant (general)
Service station	Special use historic
Theater	Counseling services
Hospital service (limited)	

8. The following uses are conditional uses of the Property:

Community recreation (private)	Community recreation (public)
Cultural services	

Except as specifically restricted under this ordinance, the Property may be used in accordance with the regulations established for the commercial recreation (CR) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on May 1, 2006.

PASSED AND APPROVED

_____ April 20 _____, 2006 §
 §
 §

 Will Wynn
 Mayor

APPROVED: _____ **ATTEST:** _____
 David Allan Smith Shirley A. Gentry
 City Attorney City Clerk

WEST
SURVEYORS,
INC.



1001 W. UNIVERSITY BL.
SUITE 400
AUSTIN, TEXAS 78705

GREGORY E. WEST
REGISTERED PUBLIC SURVEYOR
10447 000-0000

FIELD NOTE DESCRIPTION

4325-7311

BEING a 0.1707 acre tract of land out of the John Applegate Survey, Abstract Number 29 of Travis County, Texas and being a portion of a road right-of-way known as Motheral Street in the Mockingbird Hill Subdivision, section one as recorded in Book 6, Page 169 of the Plat Records of Travis County, Texas, said tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found in the east right-of-way line of Motheral Street (90' R.O.W.) for the southwest corner of Lot 1, Block "K" of aforesaid subdivision;

THENCE along the south edge of said Motheral Street, North 89° 53' 00" West, a distance of 80.67 feet to a point for the southeast corner of Lot 3, Block "J" of said subdivision;

THENCE along the west R.O.W. line of Motheral Street and the east line of said Lot 3 and then the east line of Lot 4, Block "J" the following two (2) courses:

North 27° 06' 04" East, a distance of 125.29 feet to a 1/2 inch iron rod found for a point of curvature of a circular curve to the left having a radius of 21.09 feet;

along said curve to the left through a central angle of 86°-27' 57", an arc length of 32.91 feet, a chord bearing North 16°-26' 33" West, a chord distance of 29.03 feet; to a 1/2 inch red found for the end of said curve in the south right of way line of Applegate Drive (60' R.O.W.);

THENCE along the said south right-of-way line of Applegate Drive, South 89° 53' 00" East, a distance of 90.09 feet to a point of curvature (reverse direction) of a circular curve to the left having a radius of 18.87 feet;

THENCE departing said south R.O.W. line of Applegate Drive, along the east R.O.W. line of Motheral Street and the west line of Lot 1, Block "K" of said subdivision, the following two (2) courses:

Along said circular curve to the left through a central angle of 93° 24' 04", an arc length of 30.93 feet, a chord bearing South 75° 31' 00" West, a chord distance of 27.82 feet to a 1/2 inch iron rod found for the point of tangency to said curve;

South 27° 04' 09" West, a distance of 125.24 feet to the **POINT OF BEGINNING** and containing a calculated area of 0.1707 acres (7,435 square feet) of land.

12194 1909
REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

FIELD NOTES REVIEWED
By *[Signature]* Date *4/24/83*
Engineering Support Section
Department of Public Works
and Transportation



Gregory E. West
4-1-83

Exhibit "A"

EXHIBIT A

1578 1010

EQUIP 23



FILED

MAY 25 PM 6:58

DANA DEBEAUVOIR
COUNTY CLERK
TRAVIS COUNTY TEXAS

RECORDS DEPT
MIDDLE BRANCH
PHONE

TRAVIS COUNTY RECORDS



County of Travis, Texas, County of Travis
County of Travis, Texas, County of Travis
County of Travis, Texas, County of Travis
County of Travis, Texas, County of Travis

MAY 23 1964



0272-5011

REAL PROPERTY RECORDS
TRAVIS COUNTY TEXAS

12194 1911

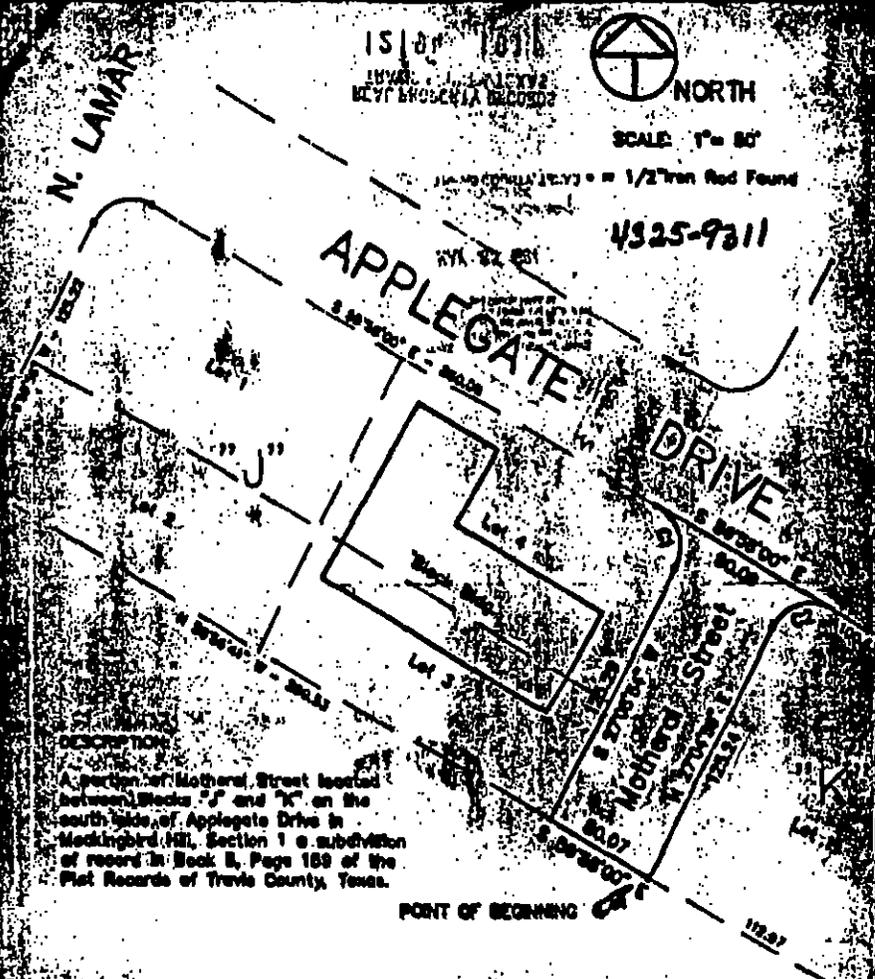
15 | 07 | 1910
 REAL PROPERTY RECORDS
 TRAVIS COUNTY, TEXAS



SCALE: 1" = 80'

1/2" Iron Rod Found

4325-9311



DESCRIPTION:
 A section of Mothers Street located between Blocks "J" and "K" on the south side of Applegate Drive in Mockingbird Hill, Section 1 a subdivision of record in Book E, Page 169 of the Plat Records of Travis County, Texas.

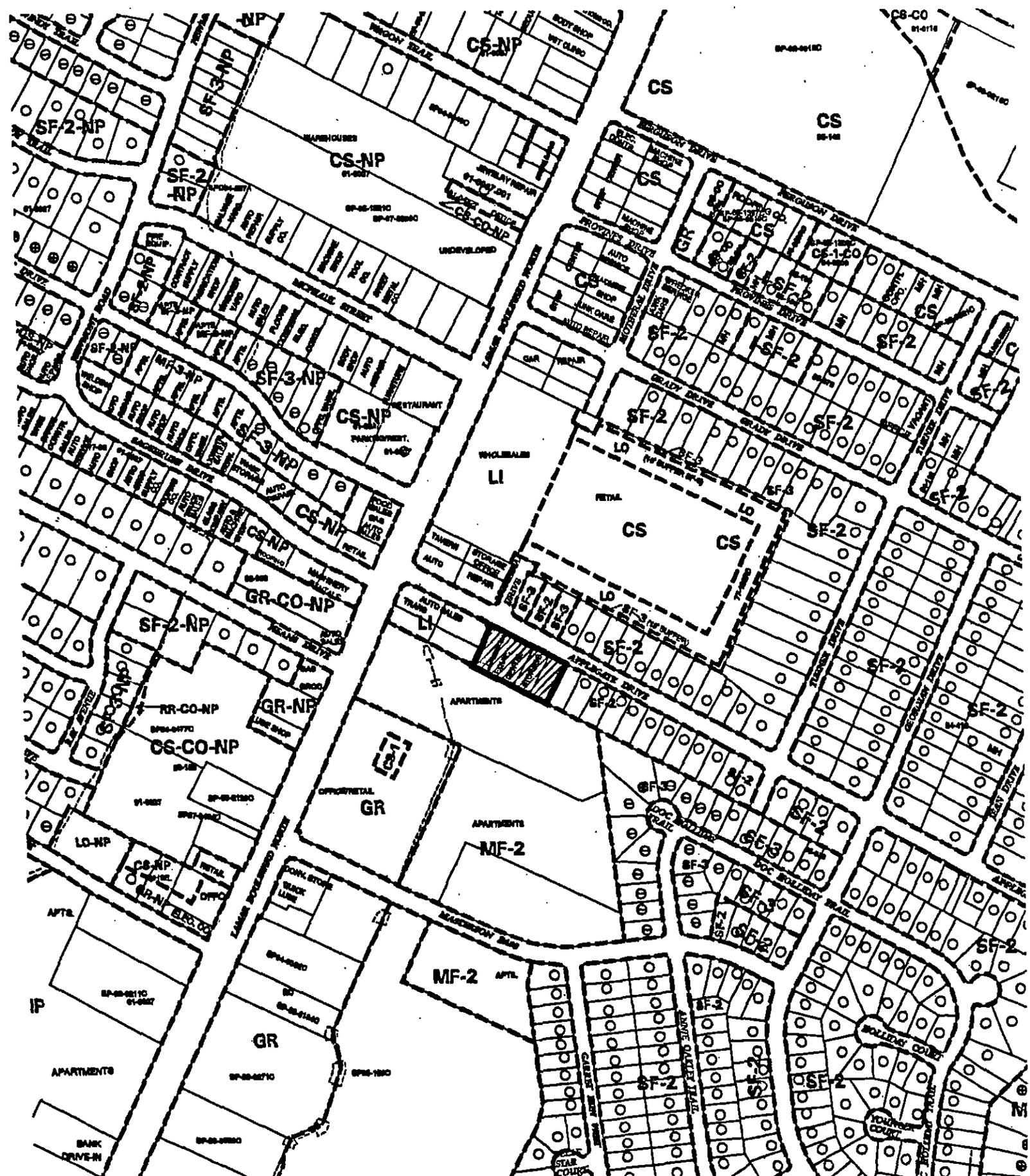
CURVE	DELTA	RADIUS	ARC	TANGENT	BEARING	CHORD
C1	28°37'57"	21.00	32.01	20.00	N 16°25'33" W	28.03
C2	83°24'54"	18.97	30.83	20.14	N 73°31'00" E	27.82

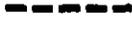


TRAVIS COUNTY, TEXAS
 CLERK OF COUNTY
[Handwritten Signature]
 N-1-13

REAL PROPERTY RECORDS
 TRAVIS COUNTY, TEXAS
 12194 1910

Exhibit "B"



 1" = 400'	SUBJECT TRACT 	<h2>ZONING EXHIBIT B</h2>		CITY GRID REFERENCE NUMBER L31
	PENDING CASE 			
	ZONING BOUNDARY 	CASE #: C14-05-0163		DATE: 05-09
	CASE MGR: S.BIRWAITIS	ADDRESS: 801 W. APPLGATE		INTLS: TRC
		SUBJECT AREA (acres): 0.845		